

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/995,698 Confirmation No.: 2615
Applicant: Andrew C. Gilbert
Title: LINKING BIDS AND OFFERS IN A TRADING SYSTEM
Filed: November 29, 2001
Art Unit: 3691
Examiner: Hani Kazimi

Atty. Docket: 01-1027
Customer No. 63710

**REQUEST FOR WITHDRAWAL OF PREMATURE NOTICE OF ALLOWANCE,
OR, IN THE ALTERNATIVE,
REQUEST FOR CONTINUED EXAMINATION**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The Notice of Allowance mailed on September 15, 2011 was mailed prematurely, and in error. Action in this application was suspended until no earlier than December 6, 2011. The Notice of Allowance prematurely and improperly issued during the suspension should be withdrawn.

The RCE filed on September 6, 2011 requested a three-month suspension of action:

MISCELLANEOUS	
<input checked="" type="checkbox"/>	Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months <u>3</u> (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
<input type="checkbox"/>	Other _____

However, a Notice of Allowance was mailed on September 15, 2011, that is, eighty-one days prematurely.

Because the October Notice of Allowance was issued prematurely, no issue fee is currently required. The requested suspension is ending just as this paper is filed. On reopening after the expiration of the suspension, the Amendment filed herewith should be entered.

In the alternative, Applicant requests continued examination (RCE) under 37 C.F.R. § 1.114 of application Serial No. 09/995,698, filed November 29, 2001, and titled LINKING BIDS AND OFFERS IN A TRADING SYSTEM. The Amendment filed herewith may be entered.

Under either alternative, **Applicant requests suspension of prosecution under 37 C.F.R. § 1.103(b) for a period of three months.** Please charge the fee under 37 C.F.R. § 1.17(i) to our deposit account.

Respectfully submitted,
CANTOR FITZGERALD L.P.

Dated: December 15, 2011

By: /David E. Boundy/
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AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant requests further amendment of the application as follows.

CLAIMS begin on page 2 of this paper.

REMARKS/ARGUMENTS begin on page 12 of this paper.

CLAIMS

Kindly rewrite the claims as follows..

1. (Previously presented) A method for use in an electronic trading system, the method comprising the steps of:

receiving a bid at the electronic trading system;

receiving at the electronic trading system a designation of a linking parameter linking the bid to an offer, and generating an offer based at least in part on the bid and the designated linking parameter;

receiving a parameter from a user designating a relationship specifying the timing at which the bid and offer are to be brought to market, including specification of a non-zero time interval between the times that the bid and offer are to be brought to market relative to each other, the timing relationship with its time interval between the bid and offer being enforced by the trading system.

2. (Previously presented) The method of claim 1 wherein the linking parameter is generated based on historical data.

3. (Previously presented) The method of claim 1 wherein the linking parameter is generated based on market data that is related to the bid.

4. (previously presented) The method of claim 1 wherein the receiving the linking parameter comprises prompting a user to input the linking parameter.

5. (previously presented) The method of claim 1 wherein the receiving the linking parameter comprises generating a price spread between the bid and the offer.

6. (previously presented) The method of claim 1 wherein the receiving the linking parameter comprises generating a size of the offer based on a size of the bid.

7. (previously presented) The method of claim 1 wherein the receiving the linking parameter comprises generating a price spread and a size of the offer based on a size of the bid.

8-9. (cancelled)

10. (Previously presented) The method of claim 1, wherein the linking parameter is generated based on related market data.

11-16 (cancelled)

17. (Previously presented) A method, comprising the steps of:
generating an electronic record of an order to trade on behalf of a trader on a market implemented in an electronic trading system;
generating an electronic record of a counter-order to trade on behalf of the same trader, the counter-order having a parameter linked to a parameter of the order; and
receiving a parameter from a user designating a relationship specifying the timing at which the order and counter-order are to be brought to market, including specification of a non-zero time interval between the times that the order and counter-order are to be brought to market relative to each other, the timing relationship with its time interval between the order and the counter-order being enforced by the trading system.

18. (previously presented) The method of claim 17, wherein:
the order is a bid to buy, and the counter-order is an offer to sell.

19. (previously presented) The method of claim 17, wherein:
the order is an offer to sell, and the counter-order is a bid to buy.

20. (previously presented) The method of claim 17, wherein:
the linking of the parameters is performed at the explicit request of the trader as the counter-order is entered.

21. (previously presented) The method of claim 20, wherein:
the electronic trading system provides to the trader a screen display interface for entering the order and counter-order.

22. (previously presented) The method of claim 21, wherein:
the screen display interface has the capability of prompting the trader to enter the order and counter-order as linked bid and offer.

23. (previously presented) The method of claim 17, wherein:
the parameters to be linked are detected at least in part automatically by the electronic trading system.

24. (previously presented) The method of claim 17, wherein:
the order and counter-order to be linked are detected at least in part automatically by the electronic trading system; and
the electronic trading system issues a prompt to the trader to link the order and counter-order.

25. (previously presented) The method of claim 17, wherein:
the counter-order is generated at least in part automatically by the electronic trading system in response to the generating of the order.

26. (Previously presented) The method of claim 17, wherein:
the order and counter-order are for items that are fungible instances of the same item.

27. (previously presented) The method of claim 17, wherein:
the order and counter-order are for items similar to each other.
28. (previously presented) The method of claim 17, wherein:
the size of the counter-order is linked as a function of the size of the order.
29. (previously presented) The method of claim 17, wherein:
the price of the counter-order is linked as a function of the price of the order.
30. (previously presented) The method of claim 17, wherein:
the size of the counter-order is linked as a function of the price of the order.
31. (previously presented) The method of claim 17, wherein:
the linked parameter of the counter-order is generated based at least in part on historical data.
32. (previously presented) The method of claim 17, wherein:
the linked parameter of the counter-order is generated based at least in part on data from a related market.
33. (previously presented) The method of claim 17, wherein:
the electronic trading system further provides market users of the system the ability to act upon both the order and counter-order simultaneously.

34. (Previously presented) A method, comprising the steps of:
generating an electronic record of an order to trade on behalf of a trader on a market implemented in an electronic trading system;
generating an electronic record of a counter-order to trade on behalf of the same trader, the counter-order having a parameter linked to a parameter of the order, the electronic trading system being configured to vary the linked parameter of the counter-order over time with market conditions; and
receiving a parameter from a user designating a relationship specifying the timing at which the order and counter-order are to be brought to market, including specification of a non-zero time interval between the times that the order and counter-order are to be brought to market relative to each other, the timing relationship with its time interval between the order and the counter-order being enforced by the trading system.

35, 36. (cancelled)

37. (Currently amended) The method of claim 34 [[36]], further comprising the step of wherein:

displaying on a [[the]] screen display interface a ~~has the capability of~~ prompt [[ing]] to
the trader to enter the order and counter-order as linked bid and offer.

38. (previously presented) The method of claim 34, wherein:
the counter-order is generated at least in part automatically by the electronic trading system in response to the generating of the order.

39. (previously presented) The method of claim 34, wherein:
the size of the counter-order is linked as a function of the size of the order.

40. (previously presented) The method of claim 34, wherein:
the price of the counter-order is linked as a function of the price of the order.

41. (previously presented) The method of claim 34, wherein:
the size of the counter-order is linked as a function of the price of the order.

42. (previously presented) The method of claim 34, wherein:
the linked parameter of the counter-order is generated based at least in part on historical data.

43. (previously presented) The method of claim 34, wherein:
the linked parameter of the counter-order is generated based at least in part on data from a related market.

44. (previously presented) The method of claim 34, wherein:
the electronic trading system further provides market users of the system the ability to act upon both the order and counter-order simultaneously.

45. (Currently amended) One or more nontransitory computer readable media, having stored thereon computer programs ~~embodied in a tangible medium~~, programmed to cause an electronic trading system to:

generate an electronic record of an order to trade on behalf of a trader on a market implemented on the electronic trading system;

generate an electronic record of a counter-order to trade on behalf of the same trader, the counter-order having a parameter linked to a parameter of the order; and

receiving a parameter from a user designating a relationship specifying the timing at which the order and counter-order are to be brought to market, including specification of a non-zero time interval between the times that the order and counter-order are to be brought to market relative to each other, the timing relationship and time interval between the order and the counter-order being enforced by the trading system.

46. (Currently amended) The nontransitory computer readable media ~~computer program(s)~~ of claim 45, the programs being further programmed to cause the electronic trading system to:

linking the parameters at the explicit request of the trader as the counter-order is entered.

47. (Currently amended) The nontransitory computer readable media ~~computer program(s)~~ of claim 46, the programs being further programmed to cause the electronic trading system to:

provide to the trader a screen display interface for entering the order and counter-order.

48. (Currently amended) The nontransitory computer readable media ~~computer program(s)~~ of claim 47, the programs being further programmed to cause the electronic trading system to:

provide a screen display interface to prompt the trader to enter the order and counter-order as linked bid and offer.

49. (Currently amended) The nontransitory computer readable media ~~computer program(s)~~ of claim 45, the programs being further programmed to cause the electronic trading system to:

detect the order and counter-order to be linked, and to issue a prompt to the trader to link the order and counter-order.

50. (Currently amended) The nontransitory computer readable media ~~computer program(s)~~ of claim 45, the programs being further programmed to cause the electronic trading system to:

generated the counter-order at least in part automatically in response to the generating of the order.

51. (Currently amended) The nontransitory computer readable media ~~computer~~ ~~program(s)~~ of claim 45, the programs being further programmed to cause the electronic trading system to:

link the size of the counter-order as a function of the size of the order.

52. (Currently amended) The nontransitory computer readable media ~~computer~~ ~~program(s)~~ of claim 45, the programs being further programmed to cause the electronic trading system to:

link the price of the counter-order as a function of the price of the order.

53. (Currently amended) The nontransitory computer readable media ~~computer~~ ~~program(s)~~ of claim 45, the programs being further programmed to cause the electronic trading system to:

link the price of the counter-order as a function of the size of the order.

54. (Currently amended) The nontransitory computer readable media ~~computer~~ ~~program(s)~~ of claim 45, the programs being further programmed to cause the electronic trading system to:

link the linked parameter of the counter-order based at least in part on historical data.

55. (Currently amended) The nontransitory computer readable media ~~computer~~ ~~program(s)~~ of claim 45, the programs being further programmed to cause the electronic trading system to:

link the linked parameter of the counter-order based at least in part on data from a related market.

56. (Currently amended) One or more nontransitory computer readable media having computer programs embodied therein ~~a tangible medium~~, programmed to cause an electronic trading system to:

generate an electronic record of an order to trade on behalf of a trader on a market implemented in an electronic trading system;

generate an electronic record of a counter-order to trade on behalf of the same trader, the counter-order having a parameter linked to a parameter of the order, the electronic trading system being configured to vary the linked parameter of the counter-order over time with market conditions; and

receive [[ing]] a parameter from a user to designate [[ing]] a relationship between the timing at which the order and counter-order are to be brought to market relative to each other under control of the electronic trading system, the timing relationship between the order and the counter-order to specify [[ing]] a non-zero time interval between the times at which the order and counter-order are to be brought to market, and to be [[ing]] enforced by the trading system.

57-59 (cancelled)

60. (Previously presented) The method of claim 17, wherein:
the non-zero interval is configured by the user.

61. (Previously presented) The method of claim 17, wherein:
the non-zero interval is determined by the electronic trading system.

62-63. (cancelled)

64. (Previously presented) The method of claim 45, wherein:
the non-zero interval is configured by the user.

65. (Previously presented) The method of claim 45, wherein:
the non-zero interval is determined by the electronic trading system.

REMARKS/ARGUMENTS

On expiration of the period of suspension of action for this application, Applicant respectfully requests amendment and reconsideration of the application. No rejections are currently pending.

Applicant hereby authorizes the USPTO to communicate with any authorized representative concerning this application by electronic mail.

In view of these remarks, Applicant respectfully submits that the claims are in condition for allowance. Applicant requests that the application be passed to issue in due course. The Examiner is urged to telephone Applicant's undersigned counsel at the number noted below if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. For the entire pendency of this application, the Commissioner is hereby authorized to charge any additional required fees (including all extension of time fees), or credit any overpayment, to Deposit Account No. 50-3938, Order No. 01-1027.

Respectfully submitted,
ATTORNEY FOR ASSIGNEE

Dated: December 15, 2011

By: /David E. Boundy/
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